

JOHN GILBERT vs. APC NATCHIQ, INC.  
CASE NO. 3:03-CV-00174-RRB

DEPOSITION OF JOHN D. GILBERT  
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1	department know that there's an injured employee on his	1	somebody has an infection, they're given antibiotics,
2	way to the medical facility at which point they would	2	if somebody is going to a chiropractor, et cetera. So
3	come in and kind of hand them off to me. Or if whoever	3	you're in the need to know level for medical, correct?
4	was in the office at the time and they would take over.	4	A That would have just been provided information from the
5	Run them to the medic, make sure they got to the medic,	5	medic.
6	got in there, filled out all the appropriate paperwork	6	Q Okay.
7	and then, you know, if they needed a ride to the	7	A But any of the safety supervisors or any of the safety
8	airport to get off of the Slope, you'd drive them to	8	specialists, if they had brought this person to the
9	airport and put them on a plane, send them to medical	9	medic would have been in the -- in the know. They
10	facilities if they needed it. Or you would attend to	10	would have known the same thing.
11	them and their needs and their bunk if you will, their	11	Q So within the chain of command, and when the individual
12	room. And then besides that it was just notifying	12	is injured, the information regarding their medical is
13	their supervisor as to what had happened and making	13	that generally known or is that something that is
14	sure that all the paperwork was complete.	14	restricted to certain people?
15	Q I note on here where you talk about some people coming	15	A The general medication is probably known by everybody
16	back onto the job in light duty, for example. Is this	16	in the safety department although we try to keep it,
17	something that you had any responsibility for returning	17	you know, private. But what happens with the medic and
18	people to work to minimize the recordables?	18	the injured employee is strictly their confidential
19	A No, it's a pretty -- that's a pretty gray area. It's,	19	business, you know. When an employee went in, if he
20	you know, when you bring somebody back light duty,	20	had an unknown injury, you know, I mean, you bring
21	that's kind of a gray area in the rules and regulations	21	them in and they behind closed doors the medic would
22	so --	22	evaluate him, prescribe him and all you would get is
23	Q In what sense?	23	this guy's, you know, bed rest for a week or he's
24	A Well you know you have first aids and then you have	24	getting on the plane and going to town, and, you know,
25	recordables and then you have nonrecordables. So when	25	here's his medication to get him there and that's all
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1	you have a light duty, you're just trying to save your	1	you'd know.
2	time here -- yourself a recordable incident or a lost	2	Q When they go back onto the job, what are the -- who are
3	time incident by bringing them back. Keeping them on,	3	the people who would be privy to the information
4	not doing exactly what their function is as well. So	4	regarding.....
5	I honestly can't remember whether I would have had	5	A Their supervisor.
6	anything to do with that, but most work returns and	6	Q The supervisor only?
7	light duty were not -- they were above my level. I	7	A Yes.
8	would not have made that call to bring somebody back on	8	Q Okay.
9	light duty, it would have been Doug, Gary Buchanan or	9	A I mean the supervisor of their department. They would
10	one of the department supervisors in construction	10	need to know.
11	production, drilling, et cetera.	11	Q It's a need to know basis?
12	Q Okay. And if the determination was made to return	12	A Yes. They would need to know what medications they
13	somebody to light duty did you do any monitoring of	13	were on and so forth, and then the company had a policy
14	whether they were physically capable of doing this in a	14	also that, you know, if you were out for an extended
15	safe manner?	15	period of time, you'd have to come back with a doctor's
16	A No, because if they brought somebody back on light	16	release and the occasionally you'd have to go see the
17	duty, he'd basically be sitting at a desk doing	17	company doctor to confirm that release.
18	nothing.	18	Q Okay. Next category is vehicle incidents?
19	Q Within the need to know area it looks like you've got	19	A Uh-huh (affirmative).
20	clearance isn't the correct word, but you were in the	20	Q What responsibility did you have vis a vis property
21	chain of command that has -- that is privy to people's	21	damage or in this case a vehicle incident?
22	medication uses and the nature of their injury and	22	A Just recording it, so you could get down in the books
23	treatment, was that correct?	23	that there was an accident or same with the spills, you
24	A Where are you at?	24	know --
25	Q I'm looking just in general, all of these reported that	25	Q Were you in the lineup to whom those incidents would be

19 (Pages 70 to 73)

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1 reported?  
 2 A Yes, uh-huh (affirmative).  
 3 Q And you'd be keeping paperwork then of that  
 4 information?  
 5 A Yes, there was a book in the department that we kept  
 6 all the information in.  
 7 Q Did you ever do any specific inspections or not  
 8 inspections, but did you go out in the field and  
 9 actually look at a vehicle incident and do any kind of  
 10 a safety audit on what happened? Did you ever  
 11 investigate accidents -- there we go.  
 12 A Yes.  
 13 Q What kind of accidents would you have been involved in  
 14 investigating?  
 15 A Two trucks colliding on the Haul Road, god, scaffolding  
 16 tipping over, I don't know. Shoot, it could have been  
 17 a plethora of things, I don't know.  
 18 Q Okay. An individual being injured would that be  
 19 something that you would investigate -- a fatality?  
 20 A Yes, I would assist in an investigation. I mean, I was  
 21 never in charge of any of the investigations, but  
 22 assisted in a lot of them.  
 23 Q And that was part of your duties as a safety  
 24 supervisor?  
 25 A And specialist, yes.

1 Q And in your position as safety supervisor, you had the  
 2 additional responsibility of keeping the paperwork  
 3 regarding them, is that not correct as opposed to the  
 4 specialist?  
 5 A No, actually, probably did less investigations as a  
 6 safety supervisor than I did as a safety specialist and  
 7 the paperwork portion of the investigations was really  
 8 the responsibility of the department, managers or  
 9 supervisors, if you will, not the responsibility of the  
 10 safety department although we would assist in almost  
 11 every incident or illness investigation so --  
 12 Q Okay.  
 13 A But the specialists were more involved in than I would  
 14 have been as a supervisor position.  
 15 Q Well what would be your role, if there were an accident  
 16 then as a supervisor?  
 17 A I think the final role would be to, you know, make any  
 18 comments you might have because they would assemble the  
 19 report and then they would distribute it to everybody  
 20 and then ask for comments. You would mark your  
 21 comments, send it back, they would issue a final  
 22 report. You'd review it. If there was any property  
 23 damage or if there was a recordable, whatever type of  
 24 injury you might have, you want to make sure you  
 25 followed up with the appropriate paperwork, get it

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1 filed in the system, and that would be that.  
 2 Q Okay. When you said comments in reviewing it, what  
 3 sort of comments would you be making?  
 4 A Well that's a pretty blanket statement, it could be  
 5 anything. You know, like a spelling error.  
 6 Q Oh.  
 7 A To, you know, that's not the way I heard it type of  
 8 comment, this is what I heard, you know.  
 9 Q Would you be making any comments regarding this  
 10 occurring in the future or implementing some change in  
 11 procedure because of this accident?  
 12 A It's potentially -- yes, you could make a comment that  
 13 says, geez, I think that from now on we ought to not,  
 14 you know, let guys drive 50 miles an hour on the Haul  
 15 Road so --  
 16 Q Yes.  
 17 A Maybe they need to drive 30, you know, so --  
 18 Q When you did the review of these accident reports, was  
 19 it as a representative of the department as a whole of  
 20 APC or what capacity was it?  
 21 A I guess it would just be another comment or I'm not so  
 22 sure it would be as a whole because there might be two  
 23 other safety specialists, you know making comments at  
 24 the same time, so it'd just be another comment or -- to  
 25 the investigation. I mean, my comments were not the

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1 last word.  
 2 Q Well I guess what I'm getting at is why did they send  
 3 it to you if safety specialists have already looked at  
 4 it, if they didn't need somebody from corporate to look  
 5 at it, or from whoever was a representative of the  
 6 department?  
 7 A I think it's to get more eyes on it, personally. I  
 8 have no good answer for you there. I mean, why did  
 9 they send it to the safety specialist? So it could be  
 10 the opposite question, so we had several people  
 11 involved in all of these investigations so --  
 12 Q UA's, urinalysis?  
 13 A Uh-huh (affirmative).  
 14 Q And what was your responsibility there?  
 15 A Let's see, we would bring the employees in for random  
 16 and then scheduled urinalysis and perform the entire  
 17 urinalysis procedure, you know.  
 18 Q What was your role in the urinalysis program?  
 19 A Same as everybody else's. You'd bring them in and  
 20 you'd sit them down. You'd have them fill out the  
 21 initial paperwork. You'd check them for contraband.  
 22 You'd take them in, give them the cup, watch them do  
 23 their thing in the cup, pull it back, make sure that  
 24 the temperature was correct on the cup and everything  
 25 looked okay. Then you would split the sample, load the

20 (Pages 74 to 77)

<p style="text-align: right;">Page 78</p> <p>1 sample in a sample bag and fill out the final paperwork 2 and send it to town.</p> <p>3 Q Who else would do this? You said the same as everybody 4 else?</p> <p>5 A Every -- almost everybody in the department was able 6 to do those urinalysis except for the secretary.</p> <p>7 Q When you say in the department, who are you referring 8 to?</p> <p>9 A All the safety specialists, myself, and Doug and the 10 IH.</p> <p>11 Q Okay. And among those individuals who were trained to 12 be able to do this, you had to be trained to.....</p> <p>13 A Correct.</p> <p>14 Q You had to be able to sign off on them, correct -- to 15 be able to do them?</p> <p>16 A You had to be trained.....</p> <p>17 Q Right.</p> <p>18 A In order to do the test, yes.</p> <p>19 Q All right. If you were available, were you the one 20 that did them as opposed to other individuals?</p> <p>21 A I guess the answer's yes, if I was available I would do 22 it. However, if somebody else was available they would 23 do it so -- and I don't know how to split that up.</p> <p>24 It's -- it was a free for all. If you had time you did 25 it, irregardless of who you were.</p>	<p style="text-align: right;">Page 80</p> <p>1 MS. ZOBEL: Sure.</p> <p>2 (Off record)</p> <p>3 (On record)</p> <p>4 Q (By Ms. Zobel) Going this list of areas that you're 5 reporting on, it says safety department. Let's go to 6 page 299 of this exhibit. The first bullet says blank 7 called from Soldotna regarding the 624 Safety 8 Specialist JVA. Would that be about a job or why would 9 he be calling?</p> <p>10 A That -- yes, it could be about a job, I'm not sure. I 11 would -- it's hard to say.</p> <p>12 Q Okay. Did people call you when they're looking for 13 employment within the safety department at Kuparuk?</p> <p>14 A They could have called me, yes.</p> <p>15 Q Okay. Did you have some hand in reviewing or getting 16 JVA's or the hiring process?</p> <p>17 A No, I simply would take the phone call, gather up -- if 18 somebody sent a resume we'd gather it up, if we were 19 hiring. And then we -- we would as a department, I 20 guess, if -- well there's a couple of different ways it 21 could have happened. Sometimes guys would just show up 22 and say I'm working, and that would happen. Other 23 times we'd be short a hand and the word would go out, 24 hey call everybody you know and see if we can get them 25 up here. You know, if you know anybody. So as a group</p>
<p style="text-align: right;">Page 79</p> <p>1 Q Okay. Let's take the -- you had two programs for 2 urinalysis, correct?</p> <p>3 A Can you --</p> <p>4 Q One that would be if there was an accident it was 5 required that people give a UA, correct?</p> <p>6 A Correct.</p> <p>7 Q And then you had random?</p> <p>8 A Correct.</p> <p>9 Q Within those two, if somebody were in the random group, 10 would you be expected to be the one administering those 11 UA's.....</p> <p>12 A Not necessarily.</p> <p>13 Q .....within the office?</p> <p>14 A Not necessarily.</p> <p>15 Q You'd bring safety specialist out of the field in order 16 to do those?</p> <p>17 A It's -- it's -- yes. It's highly possible. There 18 could be a safety specialist doing it instead of me.</p> <p>19 Q Well what was the norm, not whether it was possible?</p> <p>20 A There is no norm. It was just a free for all. If you 21 had time you would do it. I was not specifically 22 responsible for doing a random urinalysis.</p> <p>23 Q Okay.</p> <p>24 MR. COVELL: I need to take a five minute break 25 for a quick phone call. I apologize.</p>	<p style="text-align: right;">Page 81</p> <p>1 we'd all call who we knew and they would send a resume 2 or some other form of information and we'd all kind of 3 just look through them and then a final decision would 4 be made as to -- if they're going to hire them or not.</p> <p>5 Q Who would make the final decision?</p> <p>6 A Doug in this particular instance.</p> <p>7 Q Okay. And would Doug be looking to you to give him 8 your input as to who would be hired?</p> <p>9 A Myself and others, yes.</p> <p>10 Q Who would the others be?</p> <p>11 A All the safety specialists.</p> <p>12 Q Okay. There's another bullet point down here about 13 mid-way through about a Mr. Ken Quinlan who contacted 14 me. He's an IH who is currently working in Arizona. 15 He's looking for work.</p> <p>16 A Uh-huh (affirmative).</p> <p>17 Q And then you told him to send the resume to a certain 18 e-mail. Who's e-mail is that?</p> <p>19 A It might have been mine. It might have been Doug's, I 20 don't know.</p> <p>21 Q Does that look like yours?</p> <p>22 A I don't recall.</p> <p>23 Q All right. Then back up on this page, on 299 it says 24 blank approached me about a problem she's having with 25 her alternate and is unhappy with the amount of work</p>

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1	that's being completed during her hitch. Did you have	1 Q Okay.
2	responsibilities to deal with unhappy employees within	2 A It would be a guess.
3	the department?	3 Q Then safety staff meetings: when you hold a safety
4 A	No, I -- Doug handled all that.	4 staff meeting, would you conduct those meetings?
5 Q	Well if Doug wasn't there did you just blow them off	5 A (No audible answer)
6	and say wait until Doug's there or what did you do?	6 Q It says I basically went over what so and so presented
7 A	Pretty much.	7 to the rest of the group the previous Saturday. Also
8 Q	Oh. Did you ever problem solve with people who were	8 discussed the modification to the APC PP and G manual.
9	unhappy?	9 We're right here.
10 A	Yes, sure.	10 A Two 99, right here. It looks like I did conduct that
11 Q	All right. It says I've not talked with blank and	11 one, yes.
12	there's always two sides to the story, would you do the	12 Q Okay. Is that some of what you regularly did?
13	two sides to the story? Would you investigate?	13 A Well we weren't very good at having regular meetings.
14 A	I know what this is all about here. This is Kim and	14 Q When you held meetings, who conducted them?
15	Amanda were not -- they were butting heads and, you	15 A It's -- it's possible that I conducted them. It's also
16	know, I just deferred all this to Doug.	16 possible Doug conducted them or one of the safety
17 Q	Is that because it wasn't your responsibility or	17 specialists if he had something in particular he wanted
18	because you just didn't want to deal with the personnel	18 to talk about he would conduct them. It was pretty
19	issues in the admin office?	19 informal.
20 A	I don't think it was my responsibility so --	20 Q Okay. He'd be on the agenda, but somebody else would
21 Q	Okay. What about if there was some lack of	21 set the agenda?
22	attentiveness or work ethic or whatever on the part of	22 A I don't even know if you could go as far as saying
23	the safety specialist? Would it be your responsibility	23 there was an agenda.
24	to call that to their attention and tell them they	24 Q Oh, I've got some agendas.
25	needed to get it straight?	25 A Okay. Good.
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1 A	I can't ever recall that happening, so I don't know how	1 Q We'll get to some of those in a minute.
2	to answer that. No.	2 A Good.
3 Q	You never had anybody from any of the different places	3 Q Now, it says here that you discussed a modification of
4	where these people were embedded -- the supervisors	4 a -- what's a PP and G manual?
5	calling you and saying we're having trouble with so and	5 A That stands for policy, procedures and guidelines
6	so?	6 manual.
7 A	Oh, I think there was a lot of that particular type of	7 Q And was it your responsibility to -- it says it --
8	stuff going on all the time. You know, I mean the	8 modifying the program to meet our needs? Was that part
9	safety department is not -- how shall I put this --	9 of your responsibility to come up with suggestions on
10	well liked by either management or employee.	10 how to do that?
11 Q	Why is that?	11 A No, it wasn't my responsibility. I guess I took it
12 A	You're the bad guy. You know, you're always -- you	12 upon myself to jump in and -- and update what they
13	have nothing good to tell management and you're always	13 already had to more -- to meet the current needs of
14	on the employee's back to make them work safe so nobody	14 what we were doing on the -- on the Slope at the time.
15	likes you. Yes, you could get a call several times a	15 Q Okay what's the ASH 2002 rollout?
16	day complaining about the safety guy.	16 A That is the -- what the heck does that stand for?
17 Q	And you're the guy that they would bring those	17 Alaska Safety and Health 2002 manual that the client
18	complaints you?	18 puts out. I think that came from ConocoPhillips -- or
19 A	Yes, myself or Doug or Ron Kirk or.....	19 it's actually a conglomeration of Conoco and BP and all
20 Q	As your alternate?	20 the oil companies at the -- on the Slope get together
21 A	Gary Buchanan or.....	21 and they revise this little safety and health manual
22 Q	Gary over -- what was his position -- over Doug?	22 every year that they give to the employees. I don't
23 A	Yes, he's the -- let's see if I can get this right.	23 know if it's every year or not, but a small manual that
24 Q	You don't have to worry about what his.....	24 they give to all the employees every year. I mean,
25 A	I don't know, I can't remember his title.	25 it's just general health and safety information for the

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1 Slope.  
2 Q Okay. Was it your job to be sure that the people that  
3 were below you on the org chart had that information as  
4 to changes that needed to be complied with?  
5 A No. No, it was general knowledge. You just -- I mean,  
6 you could get one of those manuals anywhere.  
7 Q So it was just hit or miss, you didn't have discussions  
8 about them?  
9 A Oh, we were all in -- we helped to review this thing  
10 months in advance. So everybody was in the know as to  
11 what it was. So it looks to me like somebody in --  
12 e-mailed to me and I just passed it on to everybody  
13 else.  
14 Q Okay. Within the safety department, if somebody in the  
15 field needed a piece of equipment did you have  
16 authority to purchase that or to authorize purchase of  
17 it?  
18 A It may have had authority to opera- -- to authorize the  
19 purchase or -- or get it.  
20 Q Okay. And within the budget for the department itself,  
21 did you come up with a wish list, so to speak, or  
22 contribute to what kinds of equipment needed to be  
23 purchased for the department?  
24 A Yes, I think you see that here in this next bullet. We  
25 put together a list, and I just went through and asked

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1 monitoring equipment and we wanted to replace it with  
2 something newer. So, let's see here. There must be a  
3 separate sheet that goes with the newer -- this is all  
4 equipment, I believe. So, there's probably another  
5 sheet that has -- that compares the bottom line cost of  
6 all this old equipment with the bottom line cost of  
7 some new equipment.  
8 Q Okay. Were you make recommendations in this analysis  
9 for things that needed to be replaced or were you just  
10 inventorying stuff?  
11 A I think what we had was -- I think we had some guys  
12 come up and demo some new equipment and we thought it  
13 was pretty neat. So we decided we would determine  
14 whether or not it was worth the money.  
15 Q Okay. And.....  
16 A So I guess I was probably just comparing costs is all I  
17 was doing.  
18 Q And that was part of your job description that you  
19 would analyze what equipment would be best to be  
20 replaced and how to replace it?  
21 A Oh, I don't know if you could say that. I think  
22 everybody was involved in whether or not we would  
23 replace equipment or not.  
24 Q But doing the analysis. I mean everybody didn't do an  
25 analysis separately like this?

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1 everybody what we -- what they thought we needed and we  
2 put together a list and I put them together here.  
3 Q Okay.  
4 A It just.....  
5 Q Well have -- here's something called an instrument  
6 replacement analysis.  
7 A Uh-huh (affirmative).  
8 MS. ZOBEL: And madame court reporter would you  
9 pass them a sticker please?  
10 MR. COVELL: I've got the stickers.  
11 MS. ZOBEL: Oh, all right.  
12 MR. COVELL: So we'll mark this G-8 for the  
13 record.  
14 (Deposition Exhibit G-8 marked)  
15 MS. ZOBEL: That's fine.  
16 Q (By Ms. Zobel) Do you recognize this? It has your  
17 name in the right-hand corner.  
18 A Oh, yes, this is a spreadsheet I built. Okay.  
19 Q What is it you did?  
20 A Let's see here.  
21 Q I don't know if this is all of it, but tell me what  
22 this page represents.  
23 A Well give me a second. I'll get up to speed here. It  
24 looks like I was trying to come up with a cost analysis  
of -- we had some old equipment on there. Some old

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1 A I can't say that they did or did not. I have no idea  
2 whether somebody else did an analysis like this or not  
3 for the same or similar equipment.  
4 Q How is it that you would do such an analysis? I mean  
5 would you be assigned to do it or did you take it on  
6 yourself and do it?  
7 A Either way, maybe somebody asked me to do it, or I  
8 could have just said well I wonder if it's worth buying  
9 the new stuff? How much is the old stuff worth and  
10 just did this.  
11 Q Okay. Did you meet with vendors and talk to them about  
12 equipment that might be available out there....  
13 A At times.  
14 Q ....to be useful?  
15 A At times, yes.  
16 Q Okay. I have a --  
17 MR. COVELL: There you go. We'll be on G-9 on  
18 this next paper.  
19 (Deposition Exhibit G-9 marked)  
20 MS. ZOBEL: Okay.  
21 Q (By Ms. Zobel) This is -- it looks like somebody  
22 writing to you or this is like, somehow, we ended up  
23 with page one of this. But tell me what this is if you  
24 can?  
25 A Yes, this is a gentleman that -- I can't remember

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1 that might come out of the violation of safety?  
 2 A No. Can you expand on that please when you say.....  
 3 Q Well could you, for example, could you -- did you ever  
 4 make recommendations that somebody be terminated or  
 5 disciplined because of their actions?  
 6 A No.  
 7 Q Okay. I noted in one of the memos, and I don't think I  
 8 copied it, something about calling -- referring to the  
 9 cop aspect of the job and that people were not doing  
 10 that. Tell me what you meant by that?  
 11 MR. COVELL: If you can answer the question.  
 12 Q (By Ms. Zobel) You nodded when I used the term cop.  
 13 A Well the term copy, is just simply, you know, the --  
 14 there was always a separate approach and it would just  
 15 -- would funnel down from primarily Gary Buchanan --  
 16 that I want you guys to be policemen out there on the  
 17 patrol all the time. Making sure that, you know, these  
 18 guys are in line. And then it would swing, you know, these  
 19 were on a -- a pendulum -- these ideas. So, it  
 20 would go from being the cop to being the -- you're best  
 21 buddy, you know. And then it'd go back to being the  
 22 cop. So, back and forth, back and forth and that's all  
 23 that refers to. So, if you're the cop you're out  
 24 there, by god, I'm writing you up, you know. You're  
 25 doing the wrong thing, I'm going to -- I'm shutting you

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1 down. You can't work any more. You know, taking the  
 2 hard line. And then the other side would be, you know,  
 3 you guys, you know, you might want to reconsider what  
 4 you're doing and try a different approach.  
 5 Q Okay. So if the pendulum was on the side of the cop  
 6 mentality, if the perception of corporate was -- or  
 7 Gary Buchanan was -- that we weren't following through  
 8 on that, what would role be then? To communicate that  
 9 to the troops or what?  
 10 A Yes.  
 11 Q Okay. If there had been a violation of safety that  
 12 came to your attention, did you ever suggest that there  
 13 be new training implemented?  
 14 A Could have, yes.  
 15 Q And would you recommend ever that there be transfers or  
 16 anything like that of individuals?  
 17 A I don't think I would have ever made a recommendation  
 18 that somebody get transferred. I might have gotten mad  
 19 at somebody and said take a day off, but there's really  
 20 nothing formal there at all so --  
 21 Q Okay.  
 22 A It's -- you know, it's difficult being the safety guy  
 23 out there because the last thing you want is somebody  
 24 to get hurt while you're trying to keep them safe so --  
 25 Q Yes. In addition to having federal and state

1 regulations that you had to follow in safety -- and  
 2 that's a given, you did have to follow state and  
 3 federal regulations, correct?  
 4 A Correct.  
 5 Q Were there compliance requirements from clients as well  
 6 -- from the client?  
 7 A Yes.  
 8 Q Okay. So did your responsibilities include working  
 9 with the client in any manner in developing those  
 10 requirements?  
 11 A Not in developing the clients' requirements. I worked  
 12 with the client.  
 13 MR. COVELL: And just to be clear, these are  
 14 client safety requirements, right?  
 15 MS. ZOBEL: Yes, yes. Safety -- within his  
 16 field, right.  
 17 MR. COVELL: Okay.  
 18 Q (By Ms. Zobel) And how would you work with the client?  
 19 Explain that to me. What were your interfaces?  
 20 A I might go to a drill pad and meet with one of the  
 21 client's safety specialists or their super- --  
 22 supervisory personnel and walk down a job.  
 23 Q Meaning walk down a job -- what's that mean?  
 24 A Just walking down for safety issues -- safety problems.  
 25 Q And what would happen if there were safety issues

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1 discovered?  
 2 A Put our heads together and come up with a way to  
 3 mitigate them.  
 4 Q Okay. And you were one of the people that was  
 5 designated to do this with the client?  
 6 A You could say that as well as all the guys in the  
 7 department, every safety specialist, the manager, the  
 8 -- everybody was designated to do that to work with the  
 9 client and provide them with what they needed.  
 10 Q Okay. Let's talk a little bit about the department and  
 11 you were there when there were changes made within the  
 12 department were you not?  
 13 A Yes.  
 14 Q Okay. When you first went to work, did the position  
 15 that you held when you left exist?  
 16 A Yes.  
 17 Q It did. Who held it?  
 18 A The position?  
 19 Q Of safety supervisor?  
 20 A That I can't answer. I don't know.  
 21 Q Okay. Within your position as a safety supervisor, did  
 22 you have responsibilities that were different from the  
 23 safety specialists?  
 24 A Not different, but probably in addition.  
 25 Q Okay. Tell me what they were in addition.

25 (Pages 94 to 97)

METRO COURT REPORTING

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1	A	I guess the only thing that really separates it is that you're -- you're not out in the field as much as the safety specialist. So you'd be again, answering the questions of the -- from the client or from whomever while you were in the office. So, it would be the primary, you know, you boil it right down to it. You know, that's probably the primary difference. You're taking care of the questions that are presented to the office, because you're the guy in the office. Otherwise, you're, you know, still go out in the field and do the same sampling and same testing, same walk downs, everything is identical to the safety specialist.	1	Q	Okay. Are you doing that as a back-up to these people or as a substitute when somebody else isn't available or --
2			2	A	Both.
3			3	Q	Both. Okay. All right. And this -- the amount of time that you did these kinds of activities was what?
4			4	A	I don't know. At random, it could be on a daily basis some shifts on the Slope or it could be a weekly basis. Some weeks maybe not at all.
5			5	Q	Intermittent?
6			6	A	All over the board.
7			7	Q	But is that accurate that it would be intermittent or on an as-needed basis as opposed to that being your first responsibility?
8			8	A	Oh, I think that was a primary responsibility was not office work, but a primary responsibility would be to make sure that everybody in the field is taken care of before the paperwork is taken care of in the office. So, if you wanted to assign priorities, the field work would come first and then everything else would be secondary.
9			9	Q	Okay. Within the assigned activities that you were doing though, how often would you have to exercise this as compared with the office work that you also had to do?
10	Q	Those activities that you just described, sampling, testing, walk downs --	10		
11	A	Uh-huh (affirmative).	11		
12	Q	Was that your primary role or was your primary role in the office?	12		
13	A	Primarily it would be in the office.	13		
14	Q	Okay. And when it is that you would do this sampling testing and walk downs?	14		
15	A	It could be at any given moment. Any -- any -- no set time or schedule.	15		
16	Q	Would it be at the request of whom?	16		
17	A	It could be at the request of the client, it could be	17		
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